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PART IV

Legislative Measures and Rules thereunder

NOTIFICATIONS.

No. W. 2193—W. 10-44-11, dated Bangalore, 12th March 1945.

In exercise of the powers conferred by Section 2 of the Defence of India Act, 1939 (XXXV of 1939), as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Defence of India Rules, in force in Mysore, namely :—

In the said Rules—

1. Sub-rule (5) of Rule 48 shall be omitted ;
2. After Rule 123 the following rule shall be inserted, namely :—

"123-A. *Burden of proof in certain cases.*—Where any person is prosecuted for contravening any of these rules or order made thereunder which prohibits him from doing an act or being in possession of a thing without lawful authority or excuse or without a permit, licence, certificate or permission, the burden of proving that he had such authority or excuse or, as the case may be, the requisite permit, licence, certificate or permission, shall be on him."

No. 2198—W. 10-44-12, dated Bangalore, the 13th March 1945.

In exercise of the powers conferred by Section 2 of the Defence of India Act, 1939 (XXXV of 1939), as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Defence of India Rules in force in Mysore, namely :—

To sub-rule (5) of Rule 94-A of the said rules, the following shall be added, namely :—

"and no person shall without the consent of the Government issue in Mysore any document publicly offering for sale any security issued with the consent or recognition of Government, if such issue was made by a private company or if the order, according it consent or recognition contained a condition that the securities should be privately subscribed."

V. VEDAVYASACHARYA, *Chief Secy.*

No. P. 6248—Pol. 154-44-4, dated Bangalore, 13th March 1945.

In exercise of the powers conferred by Section 8 of the Cinematograph Act XII of 1923 as amended by Act V of 1925, the Government of His Highness the Maharaja are pleased to make the following amendments to the Cinematograph Censorship Rules, 1944:—

1. Add the following at the end of sub-rule (1) of Rule 11.—

"Such application shall be made at least 7 (seven) days before the date proposed for the exhibition of the film."

2. Substitute the figure 11 for 12, after the word "rule" in Rule 12.

3. Substitute the figure 13 for 14 after the word "rule" in line 1 of Rule 14.

4. Add the words "or in his absence, the Vice-President" after the word "President" in Rule 15.

5. Substitute the following for the first sentence of Rule 21:—

"All certificates granted by the Board shall bear the signature of the President or in the event of his prolonged absence, of the Vice-President or in the absence of both the President and the Vice-President, of the Secretary. The Secretary shall see that such certificates are duly issued and that all instructions of the Board with regard to them are duly carried out."

6. Add the following at the end of sub-rule (1) Rule 22:—

"Provided that such certificate may be exhibited by means of lantern slides for the duration of the war."

7. Substitute the figures 11 (3) (a) in place of 12 (3) (a) in the last line of sub-rule (3) of Rule 22.

8. Insert the words "number of" in place of "number o" in line 1 of clause (a) of sub-rule (1) of Rule 24 and insert a semi colon, at the end of the clause.

No. L. 9376—Ml. 191-44-1, dated Bangalore, 19th March 1945.

In exercise of the powers conferred by section 3 of the Essential Services (Maintenance) Act, 1942, (Act XXIII of 1942) the Government, being of opinion that the class of employment hereinafter specified is essential for maintaining supplies and services necessary for the life of the community, are pleased to declare all employment under the Bangalore City Municipality, not being employment under the Government, to be employment to which the said Act applies, and, under sub-section (1) of section 4 of the Act, to authorise the Municipal Commissioner, Bangalore City Municipality to issue orders directing any person or any persons engaged in such class of employment, not to depart out of such area or areas, as may be specified in the order.

C. NARAYANASWAMY NAIDU, *Law Secy.*

No. C. 858—Co. 10 44-10, dated Bangalore, 14th March 1945.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore, and in supersession of the Newspaper Control Order, 1942, the Government of His Highness the Maharaja are pleased to make the following order, namely:—

The Newspaper Control Order, 1944.

1. (1) This Order may be called the Newspaper Control Order, 1944;

(2) It extends to the whole of Mysore;

(3) It shall come into force at once.

2. In this Order,—

(*a*) "newspaper" means any periodical publication printed on newsprint;

(*b*) "newsprint" has the same meaning as in the Newsprint Control Order, 1941;

(*c*) "daily newspaper" means a newspaper which is published on not less than five days in a week.

3. No person shall print, make or publish, on the same day more than one edition of any daily newspaper for circulation in the same locality except with the permission of the Government previously obtained.

4. No person shall publish a newspaper any page of which, including margins and other spaces clear or print, exceeds 432 sq. inches in area.

5. No person shall print or make or publish except under the authority in writing of the Government any newspaper that was not both printed or made in Mysore and regularly published therein during the month immediately preceding the 18th February 1943.

6. No person shall change the name, the place of printing or making or the place of publication of any newspaper without the previous permission in writing of the Government.

7. No person shall acquire any rights or ownership of any newspaper without the previous permission in writing of the Government.

8. No person shall print, make or publish any newspaper of a type specified in the first column of the Schedule appended to this Order, in which the percentage of space used or assigned for advertising matter (including any loose advertising matter, which may be inserted therein) exceeds the percentage specified opposite that description in the second column of that Schedule of the total space used or assigned for matter of any sort in the aggregate of the number of consecutive issues so specified in the third column of that Schedule.

9. No person shall charge for a daily newspaper at rates exceeding those specified in the following Table:—

Total number of pages in the issues of one calendar week		Maximum price per copy
Where newspaper is published on all days of the week	Where newspaper is not published on one or two days of the week	
Not less than 56 ...	Not less than 48 ...	2 annas
Less than 56 but not less than 42.	Less than 48 but not less than 36.	1½ ,,
Less than 42 but not less than 28.	Less than 36 but not less than 24.	1 anna
Less than 28 ...	Less than 24 ...	¾ ,,

SCHEDULE—(see Clause 8).

.....	Column II. Max. percentage of total space to be reserved or assigned for advertisement matter	Column III. No. of consecutive issues for which such percentage is to be assigned
	Per cent.	Per cent
Daily newspaper	45	14
Weekly, bi-weekly or tri-weekly newspaper.	50	24
Tri-monthly or fortnightly newspaper ..	50	12
Any other newspaper	45	Each issue

No. C. 863—CO. 33-44-46, dated Bangalore, 16—19th March 1945.

In exercise of the powers conferred by clause (*c*) of sub-section (1) of Section 3 of the Hoarding and Profiteering Prevention Act, 1944 (Act XXII of 1944), the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in their Notification No. D. 6414—I. & C. 289-43-47, dated 6th April 1944, namely:—

In the said Notification,—

(1) after the figures and words "0-2-6 per packet of 10" against the entry "Victoria," the words and figures "Rs. 13-12-0 per 1,000 (wholesale)" shall be added; and

(2) for the existing entries against the item "Carlton's Special Magnums" the following shall be substituted, namely:—

"2-0-0 per tin of 50,
0-6-0 per packet of 10,
33-8-0 per 1,000 in packets of 10 (wholesale price),
35-0-0 per 1,000 in tins of 50 (wholesale price)."

E. V. GANAPATI IYER, *Secy., Civil Supplies.*

No. L. 9274—Ml. 157-44-68, dated Bangalore, 16th March 1945.

Under Section 4 and Section 42 of the City of Bangalore Improvement Act (Act. No. V of 1945), the Government of His Highness the Maharaja of Mysore are pleased to prescribe the following rules for the election of Trustees by the Bangalore City Municipal Council :—

(i) The election shall be according to the principle of the proportional representation by means of the single transferable vote in accordance with the provisions of the rules set out in the Schedule annexed hereto.

(ii) The election shall be conducted by the Municipal Council at a meeting specially convened for the purpose, of which not less than seven days' notice shall be given.

(iii) The councillors intending to offer themselves for election shall give written notice to the Municipal Commissioner at least two days prior to the date of meeting. The Municipal Commissioner shall put up the list of candidates on the notice board of his office at least one day prior to the meeting.

(iv) On the day appointed for the election, the Municipal Commissioner shall distribute ballot papers to all the Councillors present. The voting shall be by secret ballot.

(v) After the voting is completed, the Municipal Commissioner shall, in the presence of the President or Vice-President, count the votes and announce the names of the councillors, who have been duly elected, and shall intimate the result to Government.

(vi) These rules shall apply *mutatis mutandis* to the filling up of casual vacancies.

C. NARAYANASWAMY NAIDU, *Law Secy.*

SCHEDULE.

Rules for the Election of the Trustees by the Bangalore City Municipal Council, for the City Improvement Trust Board, Bangalore.

[*Sub-rule (2) of Rule 74.*]

1. In these rules— Definitions.

(1) "continuing candidate" means any candidate not elected and not excluded from the poll;

(2) "first preference" means the figure "1," "second preference" means the figure "2," "third preference" means the figure "3," set opposite the name of any candidate, and so on;

(3) "non-transferable paper" means a ballot paper on which no second or subsequent preference is recorded for a continuing candidate:

Provided that a paper shall be deemed to be a non-transferable paper in any case in which—

(a) the names of two or more candidates (whether continuing or not) are marked with the same figure, and are next in order of preference; or

(b) the name of the candidate next in order of preference (whether continuing or not) is marked—

(i) by a figure not following consecutively after some other figure on the ballot paper; or

(ii) by two or more figures;*

(4) "original vote" in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for that candidate;

(5) "surplus" means the number of votes by which the total number of the votes original and transferred, credited to any candidate, exceeds the quota;

(6) "transferable paper" means a ballot paper on which a second or subsequent preference is recorded for a continuing candidate;

(7) "transferred vote" in regard to any candidate means a vote derived from a ballot paper on which a second or subsequent preference is recorded for that candidate.

Conduct of election.

2. The Returning Officer shall, subject to these rules, do all things necessary for the conduct of the election.

Ballot paper.

3. The voting shall be by ballot. The Poling Officer shall ascertain that the person desiring to vote is an

*The fact that a voter has not marked every preference correctly does not invalidate the whole of his preferences. His paper is only treated as non-transferable when the wrongly marked preference is reached. The following are examples:—

A 1	A 1
B 2	B 2
(1) C 3	(2) C 3
D 3	D 5
E 4	E 6
	F...

In case (1), the preferences for A and B would be valid. If the third preference were reached, the paper would be treated as non-transferable, as it would be impossible to say for which candidate the voter really intended to give his third preference. In case (2), the preferences for A, B and C would be valid, but not the later ones, whether D had been elected or excluded or was still a continuing candidate. It is possible that the voter meant to give a fourth preference for some other candidate, *e.g.*, F, but omitted to do so. It would not be possible to treat 5 as being meant to be 4.

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elector who has not already voted, and shall enter his name upon the counterfoil of a ballot paper in a ballot paper book, which shall be provided for the purpose of the election, and shall then tear out the ballot paper corresponding to that counterfoil, and hand it to the elector. Every ballot paper shall contain the names of all the candidates for election arranged alphabetically in the form annexed to these rules.

Method of voting.

4. (1) Every elector shall have one vote only.

(2) An elector in giving his vote—

(a) must place on his ballot paper the figure 1 in the square opposite the name of the candidate for whom he votes;

(b) may in addition place on his ballot paper the figure 2 or the figures 2 and 3, or 2, 3 and 4, and so on, in the squares opposite the names of other candidates in the order of his preference.

Invalid ballot papers.

5. A ballot paper shall be invalid—

(a) upon which a member signs his name or writes any word, or makes any mark by which it becomes recognizable; or

(b) on which the figure 1 is not marked; or

(c) on which the figure 1 is set opposite the name of more than one candidate; or

(d) on which the figure 1 and some other figure is set opposite the name of the same candidate; or

(e) which is unmarked or void for uncertainty.

Scrutiny and arrangement of ballot papers.

6. (a) After the close of the poll, the Polling Officer, if he is also the Returning Officer, shall forthwith have the voting papers scrutinised and the votes counted and announce the results, provided that where this is not practicable or the ballot box has to be sent to the Returning Officer who is elsewhere for counting, the Polling Officer shall have the box sealed with his own seal, as well as those of such of the candidates or their agents as may wish to do, so and arrange for their safe custody and thereafter take up, at the appointed time and place, the scrutiny and counting of votes or despatch the box to the Returning Officer.

(b) The Returning Officer shall, as soon as may be practicable after the close of the poll, appoint a date, time and place for the counting of votes and shall give notice in writing thereof to the candidates or their election agents.

(c) The box or boxes aforesaid shall be opened in a place to which the candidates or their agents shall have access.

(d) The Returning Officer shall examine the ballot papers and, after rejecting any that are invalid, shall arrange the remainder in parcels according to the first preferences recorded for each candidate.

Counting of votes.

7. The Returning Officer shall then count the number of papers in each parcel, and credit each candidate with one vote in respect of each valid paper on which a first preference has been recorded for him, and he shall ascertain the total number of valid papers.

Ascertainment of quota.

8. The Raturning Officer shall then divide the total number of valid papers by a number exceeding by one the number of vacancies to be filled, and the result increased by one, disregarding any fractional remainder, shall be the number of votes sufficient so secure the return of a candidate (hereinafter called the "quota").

Candidates with quota elected.

9. If at any time the number of votes credited to a candidate is equal to or greater than the quota, that candidate shall be declared elected.

Transfer of surplus.

10. (1) If at any time the number of votes credited to a candidate is greater than the quota, the surplus shall be transferred in accordane with the provisions of this rule to the continuing candidates indicated on the ballot papers in the parcel of the elected candidate as being next in order of the voters' preference.

(2) (a) If the votes credited to an elected candidate consist of original votes only, the Returning Officer shall examine all the papers in the parcel of the elected candidate whose surplus is to be transferred and shall arrange the transferable papers in sub-parcels according to the next preferences recorded thereon.

(b) If the votes credited to an elected candidate consist of original and transferred votes, or of transferred votes only, the Returning Officer shall examine the papers contained in the sub-parcel last received by the elected candidates and shall arrange the transferable papers therein in further sub-parcels according to the next preference recorded thereon.

(c) In either case, the Returning Officer shall make a separate sub-parcel of the non-transferable papers and shall ascertain the number of papers in each sub-parcel of transferable papers and in the sub-parcel of non-transferable papers.

(3) If the total number of papers in the sub-parcels of transferable papers is equal to or less than the surplus, the Returning Officer shall transfer each sub-parcel of transferable papers to the continuing candidate indicated thereon as the voters' next preference.

(4) (*a*) If the total number of transferable papers is greater than the surplus, the Returning Officer shall transfer from each sub-parcel the number of papers which bears the same proportion to the number of papers in the sub-parcel as the surplus bears to the total number of transferable papers.

(*b*) The number of papers to be transferred from each sub-parcel shall be ascertained by multiplying the number of papers in the sub-parcel by the surplus and dividing the result by the total number of transferable papers. A note shall be made of the fractional parts, if any, of each number so ascertained.

(*c*) If, owing to the existence of such fractional parts, the number of papers to be transferred is less than the surplus, so many of these fractional parts taken in the order of their magnitude, beginning with the largest, as are necessary to make the total number of papers to be transferred equal to the surplus, shall be reckoned as of the value of unity, and the remaining fractional parts shall be ignored.

(*d*) The particular papers to be transferred from each sub-parcel shall be those last filed in the sub-parcel.

(*e*) Each paper transferred shall be marked in such a manner as to indicate the candidate from and to whom the transfer is made.

(5) (*a*) If more than one candidate has a surplus the largest surplus shall be first dealt with.

(*b*) If two or more candidates have each the same surplus, regard shall be had to the number of original votes obtained by each candidate, and the surplus of the candidate credited with the largest number of original votes shall be first dealt with, and, if the numbers of the original votes are equal, the Returning Officer shall decide by lot which surplus shall be dealt with first.

(*c*) The Returning Officer need not transfer the surplus of an elected candidate when that surplus together with any other surplus not transferred does not exceed the difference between the totals of the votes credited to the two continuing candidates lowest on the poll.

Exclusion of candidates lowest on the poll.

11. (1) If at any time no candidate has a surplus (or when under the preceding rule any existing surplus

need not be transferred), and one or more vacancies remain unfilled, the Returning Officer shall exclude from the poll the candidate credited with the lowest number of votes, and shall examine all the papers of that candidate, and shall arrange the transferable papers in sub-parcels according to the next preferences recorded thereon for continuing candidates, and shall transfer each sub-parcel to the candidate for whom that preference is recorded.

(2) If the total of the votes of the two or more candidates lowest on the poll, together with any surplus votes not transferred, is less than the votes credited to the next highest candidate, the Returning Officer may in one operation exclude those candidates from the poll and transfer their votes in accordance with the preceding regulation.

(3) If, when a candidate has to be excluded under this rule, two or more candidates have each the same number of votes and are lowest on the poll, regard shall be had to the number of original votes credited to each of those candidates, and the candidate with fewest original votes shall be excluded, and, where the numbers of the original votes are equal, regard shall be had to the total number of votes credited to those candidates at the first transfer at which they had an unequal number of votes, and the candidate with the lowest number of votes at that transfer shall be excluded, and, where the number of votes credited to those candidates were equal at all transfers, the Returning Officer shall decide by lot which shall be excluded.

Disposal of papers after any transfer.

12. (1) Whenever any transfer is made under any of the preceding rules, each sub-parcel of papers transferred shall be added to the parcel, if any, of papers of the candidate to whom the transfer is made, and that candidate shall be credited with one vote in respect of each paper transferred. Such papers as are not transferred shall be set aside as finally dealt with, and the votes given thereon shall thenceforth not be taken into account.

(2) If after any transfer a candidate has a surplus, that surplus shall be dealt with in accordance with and subject to the provisions contained in rule 10 before any other candidate is excluded.

Filling the last vacancies.

13. (1) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the cantinuing candidates shall be declared elected.

(2) When only one vacancy remains unfilled, and the votes of some one continuing candidate exceed the

total of all the votes of the other continuing candidates, together with any surplus not transferred, that candidate shall be declared elected.

(3) When the last vacancies can be filled under this rule, no further transfer of votes need be made.

Provision for recounts.

14. Any candidate or his agent may, at any time during the counting of the votes, either before the commencement or after the completion of any transfer of votes (whether surplus or otherwise), request the Returning Officer to re-examine and re-count the papers of all or any candidates (not being papers set aside at any previous transfer as finally dealt with), and the Returning Officer shall forthwith re-examine and re-count the same accordingly. The Returning Officer may also at his discretion re-count votes either once or more often in any case in which he is not satisfied as to the accuracy of any previous count:

Provided that nothing herein shall make it obligatory on the Returning Officer to re-count the same votes more than once.

Return to be prepared by Returning Officer.

15. The Returning Officer shall prepare and certify a return setting forth—

(i) the number of valid votes given to each candidate;

(ii) the number of votes declared invalid and rejected;

(iii) the names of the persons declared elected.

Interpretation in case of doubt.

16. If any question arises as to the interpretation and working of these rules otherwise than in connection with an election enquiry held under the rules thereof, the question shall be referred for the decision of Government and that decision shall be final.

FORM I.

Form of Ballot Paper.

Election for .....

Counterfoil No.

Serial Number

Number of Polling Station.

Number of elector on electoral roll.

Names of candidates	Symbol	Mark order of preference in spaces below
A		
B		
C		
D		
E		
F		

Instruction to electors.

A. Each elector has one vote and one vote only.

B. The elector votes—

(*a*) by placing the figure "1" opposite the name of his first choice.

He is also invited to place—

(*b*) the figure "2" opposite the name of his second choice;

(*c*) the figure "3" opposite the name of his third choice, and so on, numbering as many candidates as he pleases in order of his preference. The number of preferences is not necessarily restricted to the number of vacancies.

N. B.—The vote will be spoilt, if the figure "1" is placed opposite the name of more than one candidate.

I

EXAMPLE OF AN ELECTION CONDUCTED ON THE SYSTEM OF THE SINGLE TRANSFERABLE VOTE SET OUT ABOVE.

Let it be assumed that there are five members to be elected, and that there are ten candidates, A, B, C, D, E, F, G, H, I, K.

Arrangement of ballot papers [Rule (6) (d)]

The ballot papers are examined, and the valid papers are arranged in separate parcels under the names of the candidates marked with the figure 1.

Counting the votes [Rule 7].

Each separate parcel is counted, and each candidate is credited with one vote in respect of each paper on which a first preference has been recorded for him.

The result of the count may be supposed to be as follows:—

	Votes.
A	2,009
B	952
C	939
D	746
E	493
F	341
G	157
H	152
I	118
K	93
Total ...	6,000

The Quota.

It is found that the total of all the valid votes is 6,000. This total is divided by six (*i.e.*, the number which exceeds by one the number of vacancies to be filled, and 1,001 (*i.e.*, the quotient 1,000 increased by one) is the "quota," or the number of votes sufficient to elect a member. Ascertainment of quota (Rule 8).

A's votes exceed the quota and he is declared elected. Candidate with quota elected (Rule 9)

First Transfer.

A has 1,008 surplus votes (*i.e.*, A's total 2,009 less the quota 1,001), and it is necessary to transfer this surplus. [Rule 10 (1).] Transfer of surplus votes of elected candidate (Rule 10).

All A's 2,009 papers are examined and arranged in separate sub-parcels according to the second preferences indicated thereon. [Rule 10 (2) (*a*).]

A separate sub-parcel is also formed of those papers on which no further available preference, *i.e.*, no further preference for any continuing candidate, is shown, and which are therefore not transferable. [Rule 10 (2) (*c*).]

The result is found to be as follows :—

A next available preference is shown for	D	on	257	papers.
Do do	E	on	11	„
Do do	F	on	28	„
Do do	G	on	1,708	„
Total of transferable papers	...		2,004	„
Total of non-transferable papers	...		5	„
Total of A's papers	...		2,009	„

Since the total number of transferable papers (2,004) exceeds the surplus (1,008) only a portion of each sub-parcel can be transferred, and the number of papers to be transferred from each sub-parcel must bear the same proportion to the total number of papers in the sub-parcel as that which the surplus bears to the total number of transferable papers. Proportion of papers to be transferred. [Rule 10 (4) (a).]

In other words, the number of papers to be transferred from each sub-parcel is ascertained by multiplying the number of papers in the sub-parcel by 1,008 (the surplus), and dividing the result by 2,004 (the total number of transferable papers.) How numbers to be transferred are ascertained. [Rule 10 (4) (b).]

The process is as follows :—

D's sub-parcel contains 257 papers and his share of the surplus is therefore—

$$257 \times \frac{1,008}{2,004} \text{ or } 129\frac{540}{2,004}$$

E's sub-parcel contains 11 papers and his share of the surplus is therefore—

$$11 \times \frac{1,008}{2,004} \text{ or } 5\frac{1,068}{2,004}$$

F's sub-parcel contains 28 papers and his share of the surplus is therefore—

$$28 \times \frac{1,008}{2,024} \text{ or } 14\frac{168}{2,004}$$

G's sub-parcel contains 1,708 papers and his share of the surplus is therefore —

$$1,708 \times \frac{1,008}{2,004} \text{ or } 859\frac{228}{2,004}$$

Total ... 1,008

Treatment of fractions in transfering surplus votes [Rule 10 (4) (c).]

The number of papers to be transferred as determined by the preceding process contain fractions, and, since only whole papers can be transferred, so many of the largest of these fractions, taken in order of their magnitude, as will make the total number of papers to be transferred equal to the surplus are reckoned as of the value of unity.

Thus, as the *whole* numbers determined above amount to only 1,007, *viz.*,

(129+5+14+859), or one short of the surplus 1,008

the largest fraction $\frac{1,068}{2,004}$ is reckoned as unity, and the numbers of papers to be transferred as follows :—

To D	...	...	129 papers
To E	...	...	6 ,,
To F	...	...	14 ,,
To G	...	...	859 ,,
Total being A's Surplus		...	1,008 ,,

Selection and marking of papers to be transferred [Rule 10 (4) (d) and (e)]

The particular papers to be transferred to D, E, F and G are those last filed in their respective sub-parcels, and therefore, at the top of the sub-parcels. The papers to be transferred are to be marked so as to indicate the candidates from and to whom the transfer is made.

These papers are added in separate sub-parcels to the parcels of D, E, F, and G. Disposal of papers after transfer [Rule 12 (1)].

The totals of the votes credited to these candidates then become—

			Votes
D	...	...	746 + 129 = 875
E	...	...	493 + 6 = 499
F	...	...	341 + 14 = 355
G	...	...	157 + 859 = 1016

The remainders of the papers in the sub-parcels (*i.e.*, those papers not transferred), together with the papers on which no further available preferences were marked, are collected together and formed into one parcel, representing A's quota of votes (1001), and these papers are set aside as finally dealt with. The parcel is made up as follows:— Quota of papers of elected candidate set aside [Rule 12 (1)].

The remainder of D's sub-parcel,		257 less 129	= 128
Do	of E's	do 11 less 6	= 5
Do	of F's	do 28 less 14	= 14
Do	of G's	do 1,708 less 859	= 849
Non-transferable papers		.. ...	5
Total being A's quota		...	1,001

The operations involved in this transfer are summarised in the following table:—

Transfer of A's Surplus.

Surplus	...	...	1,008
Number of transferable papers.		...	2,004

$$\text{Proportion to be transferred} = \frac{\text{Surplus}}{\text{No. of transferable papers}} = \frac{1{,}008}{2{,}004}$$

Names of candidates marked as the next available preferences	Number of original papers	Number of papers transferred	Number of papers retained for A's quota
B	...	...	...
C	...	...	...
D	257	129	128
E	11	6	5
F	28	14	14
G	1,708	859	849
H	...	...	...
I	...	...	...
K	...	...	...
Total number of transferable papers.	2,004	1,008	996
Number of non-transferable papers.	5	...	5
Totals ...	2,009	1,008	1,001

State of poll after first transfer.

The state of the poll on the conclusion of the transfer is as follows:—

			Votes.
A	...	...	1,001 elected.
G	...	...	1,016
B	...	...	952
C	...	...	939
D	...	...	875
E	...	...	499
F	...	...	355
H	...	..	152
I	...	...	118
K	...	...	93
	Total	...	6,000

Election of candidate as a result of transfer (Rule 9).

G now has 1,016 votes, a number which is more than the quota. He is accordingly declared elected.

Second Transfer.

Surplus not transferred in spceial cases [Rule 10 (5) (c)].

G's surplus (1,016 less 1,001, or 15) would have to be transferred were it not for the provision of Rule 10 (5) (*c*). Under the latter role, the Returning Officer need not transfer a surplus which is less than the difference between the two lowest candidates on the poll, and where, therefore, the transfer could not alter the relative position of these two candidates, even if the whole surplus were transferred to the lowest candidate. In this case, the difference between I and K, the two lowest candidates, is 25 (118 less 93). and therefore G's surplus need not be transferred.

Transfer of votes of candidate lowest on the poll [Rule 11 (1)].

The Returning Officer proceeds to distribute the papers of the candidate with the smallest total of votes.

K's parcel of 93 papers is therefore examined. It is found to contain 89 papers on which F is the next preference, and 4 on which C is the next preference.

Therefore 89 papers are transferred to F and 4 to C, being marked so as to indicate the transfer. [Rule 10 (4) (*e*)].

State of poll after second transfer.

The poll now stands as follows:—

			Votes.
A	...	...	1,001 elected.
G	...	...	1,016
B	...	...	952
C	..	...	943
D	...	...	875
E	...	...	409
F	...	...	444
H	...	...	152
I	...	...	118
	Total	...	6,000

Third Transfer.

The poll shows that as a result of the second transfer, no further candidate obtained the quota which would entitle him to election, and the next operation has to be determined upon.

Transfer in special case of the votes of the two lowes candidates in one operation [Rule 11 (2).]

The difference between I and H (152 less 118, *i.e.*, 34) exceeds G's surplus (15), which therefore, is still allowed to remain untransferred [Rule 10 (5) (*c*)].

Candidate I is lowest on the poll, and his papers have to be distributed in the same manner as K's [Rule 11 (1)]. But as the combined totals of H and I together with G's surplus (152+118+15=285) are less than 444, the total of F, the next highest candidate, the Returning Officer avails himself of Rule 11 (2), and distributes the papers of both H and I in one operation.

The papers (152+118, or 270 in all) in the parcels of H and I are examined in one operation, and it is found that—

B is marked next preference on	119	papers
D " "	107	"
Non-transferable papers	44	"
Total	270	"

It should be stated that on some papers some or one of the candidates A, G, I, H, and K, may have been marked as next in order of preference on the papers examined, but as all these candidates are already either elected or excluded, any papers so marked pass to those of the other candidates for whom the next available preferences have been recorded.

The operation is completed by the transfer of 119 papers duly marked [Rule 10 (4)(*e*)] to B, and 107 to D, whilst the 44 non-transferable papers are set aside as finally dealt with [Rule 12(1)].

The poll now stands as follows:—

	Votes.	
A	1,001	elected.
G	1,016	"
B	1,071	"
D	982	
C	943	
E	499	
F	444	
Non-transferable papers.	44	
Total ...	6,000	

Election of candidate as the result of a transfer (Rule 9).

B now has 1,071 votes, a number which exceeds the quota. He is accordingly declared elected.

Fourth Transfer.

Transfer of surplus votes arising from a previous transfer [Rule 12 (2)].

B's surplus (70) exceeds the difference (55) between E and F, the two candidates lowest on the poll, and it is therefore necessary to distribute it.

For this purpose, only the sub-parcel of papers last transferred containing 119 papers is taken into account.

Sub-parcel of votes last transferred, examined [Rule 10 (2) (b)].

These are examined and arranged in sub-parcels (in the same manner as A's papers were examined and arranged) with the following result:—

A next preference is shown for E on 84 papers.
No further preference is shown on 35 papers.

The total number of transferable papers (84) is thus greater than the surplus (70), and the proportion to be transferred is $\frac{70}{84}$. But there is only one candidate, E, entitled to participate in the transfer. E accordingly receives the whole of the surplus and the 70 papers last filed in E's sub-parcel are, therefore, transferred to him after being marked so as to indicate their transfer from B to E [Rule 10 (4) (*e*)].

The remainder of the papers in E's sub-parcel, together with the non-transferable papers, are placed with B's original parcel. The whole constitutes B's quota and these papers are set aside as finally dealt with [Rule 12 (1)].

B's quota is made up as follows:—

Original parcel	...	952
Remainder of E's sub-parcel	...	14
Non-transferable papers	...	35
Total	...	1,001

State of poll after fourth transfer.

The poll now stands as follows:—

	Votes.	
A	1,001	elected.
G	1,016	,,
B	1,001	,,
D	982	
C	943	
E	569	
F	444	
Non-transferable papers	44	
Total ...	6,000	

Fifth Transfer.

No candidate is elected as the result of the transfer, and the next operation has to be determined upon.

G's surplus is still not distributable, being smaller than the difference between the totals of E and F, the two lowest candidates [Rule 10 (5) (*c*)].

F is lowest and his papers have to be distributed.

The votes of the lowest candidate distributed [Rule 11 (1)].

On examination it is found that of F's 444 papers, 353 show a next preference for C, and the remainder 91, contain no further preference.

The operation is completed by the transfer of 353 papers duly marked [Rule 10 (4) (*e*)] to C, whilst the 91 non-transferable papers are set aside as finally dealt with [Rule 12 (1)].

The polls now stand as follows:—

State of poll after fifth transfer.

	Votes.	
A	1,001	elected.
G	1,016	do
B	1,001	do
C	1,296	
D	982	
E	569	
Non-transferable papers	135	
Total ...	6,000	

C has now 1,296 votes, a number which exceeds the quota, and he is accordingly declared elected.

Candidate elected as a result of transfer (Rule 9). Filling the last vacancy [Rule 13 (2)].

No further transfer is necessary, for, even if all C's surplus (295) and all G's surplus (15) were transferred to E, his total would only amount to 859.

But D's total (982) exceeds this number and he is therefore declared elected [Rule 13(2)].

Final result.

The final result is that A, G, B, C and D are elected.

Result sheet (Rule 15).

The details of the various operations in this election are shown in the subjoined form of public notice or "result sheet."

II.

Result of the Poll and of the Transfer of Votes.

Number of valid votes 6,000
Number of members to be elected 5
Quota (number of votes sufficient to secure the election of a candidate) 1,001

Names of candidates	Votes	Transfer of A's surplus	Result	Transfer of K's votes	Result	Transfer of H's and I's votes	Result	Transfer of B's surplus	Result	Transfer of F's votes	Final result showing the names of candidates elected, and the order of their election
A	2,009	—1,008	1,001	...	1,001	...	1,001	...	1,001	...	1,001 (elected) A (1)
B	952	...	952	...	952	+119	1,071	—70	1,001	...	1,001 do B (3)
C	939	...	939	+4	943	...	943	...	943	+353	1,296 do C (4)
D	746	+129	875	...	875	+107	982	...	982	...	982 do D (5)
E	493	+6	499	...	499	..	499	+70	569	...	569
F	341	+14	355	+89	444	...	444	...	444	—444	.....
G	157	+859	1,016	...	1,016	...	1,016	...	1,016	...	1,016 (elected) G (2)
H	152	...	152	...	152	—152	...	...	...	...	.....
I	118	...	118	...	118	—118	...	...	...	...	.....
... ...	93	...	93	—93	...	...	...	...	...	...	.....
Non-transferable papers not transferred.	...	...	...	...	...	+44	44	...	44	+91	135
Total ...	6,000	...	6,000	...	6,000	...	6,000	...	6,000	...	6,000

III.

FORM OF DIRECTIONS FOR THE GUIDANCE OF THE VOTER IN VOTING.

The voter will go into one of the compartments, and, with the pencil provided there, mark his ballot paper by writing the number 1 opposite the name of the candidate for whom he votes. He may also write the figures 2, 3 and so on, in accordance with the order of his choice or preference opposite the names of other candidates (that is to say):—

He must write 1 in the square space opposite to the name of the candidate for whom he votes.

He may also write 2 in the square space opposite to the name of the candidate he likes second best, and 3 in the square space opposite to the name of the candidate he likes third best.

And so on.

If the voter does not mark the figure 1 on his ballot paper, or marks the figure 1 opposite more than one name, or marks the figure 1 and some other figure opposite the same name, or places any mark on the paper by which he may be identified, his ballot paper will be invalid and will not be counted.

After marking the ballot paper, the voter will put the paper into the ballot box and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

Note.—These directions shall be illustrated by examples of valid ballot papers, such as the following :—

Examples of ballot papers validly marked.

A

Mark Order of preference in spaces below	Names of candidates
3	A
4	B
2	C
5	D
1	E
6	F

B

Mark Order of preference in spaces below	Names of candidates
	A
1	B
	C
	D
	E
	F

C

Mark Order of preference in spaces below	Names of candidates
	A
3	B
	C
1	D
	E
2	F

No. S. R.3603—Reg.—15-44-3, dated Bangalore, 20th March 1945.

In exercise of the power conferred by sub-Section (2) of Section 1 of the Mysore Money-Lenders' Act, 1939, the Government of His Highness the Maharaja of Mysore are pleased to exempt the United Commercial Bank, Ltd. (Incorporated in British India), Bangalore, and all its branches in the State from the operation of this Act, except the provisions of Sections 14 and 17 (both inclusive) thereof.

No. S. R. 3606 Ex. 90-44-2, dated Bangalore, the 20th March 1945.

Under Sections 16 and 29 of the Mysore Excise Act, V of 1901, as amended from time to time and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja of Mysore are pleased to make the following amendment to the rules regulating the Sales of Excise privileges issued in Notification No. Fl. 6331—Ex. 111-40-3, dated the 27th March 1941 :—

Add "or the Chamundy Brewery, Ltd., Mysore" after the words "The United Brewery Co., Ltd., Bangalore" and before "or in any other Brewery approved by Government" in condition 1 of Section IV—Special Conditions applicable to the sale of country beer.

B. S. RAGHAVENDRA RAO, *Fl. Secy.*

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